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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Donald J. SPENCER, Dennis J. MCMAHON and Anthony J. SCHALLER

Assignee: Rioport.com Inc.

Title: Dynamic Distributed Configuration Management System

Application No.: 10/039,619      Filing Date: January 4, 2002

Examiner: Unassigned      Group Art Unit: 2182

Docket No.: M-15643 US      Confirmation No.: 2512

San Jose, California  
January 31, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§1.56, 1.97 and 1.98**

Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying form PTO-1449 are called to the attention of the Examiner for the above patent application.

Citation of these documents shall not be construed as:

- (1) an admission that the documents are necessarily prior art with respect to the instant invention;
- (2) a representation that a search has been made, other than as described above; or
- (3) an admission that the information cited herein is, or is considered to be material to patentability.

***Enclosed with this statement are the following:***

- ☒ Form PTO-1449 (*Substitute*). The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98 (*except where otherwise indicated*).

LAW OFFICES OF  
MacPherson, Kwok, Chen &  
Heid LLP

1762 Technology Drive  
Suite 226  
San Jose, CA 95110  
(408)-392-9520  
FAX (408)-392-9262

Complete copies are not submitted of U.S. patents and U.S. patent application publications per 37 C.F.R. §1.98(a)(2)(ii), and copies are not submitted of documents already cited or submitted in a parent application from which benefit under 35 U.S.C. §120 is claimed per 37 C.F.R. §1.98(d).

*This statement should be considered because:*

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:
- ☐ It is being filed within 3 months of the application filing date of a national application other than a continued prosecution application under §1.53(d);  
-- OR --
  - ☐ It is being filed within 3 months of entry of the national stage as set forth in §1.491 in an international application;  
-- OR --
  - ☒ It is being filed before the mailing date of a first Office action *on the merits*;  
-- OR --
  - ☐ It is being filed before the mailing date of a first Office action *after the filing of an RCE under §1.114*.

whichever occurs last.

- ☐ Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:
- (1) It is being filed before the mailing date of a FINAL Office Action and before a Notice of Allowance or another action closing prosecution (whichever occurs first);  
-- AND (check at least one of the following) --
  - ☐ (1) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p);  
-- OR --
  - ☐ (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(+e).
- ☐ Although it may not qualify under subsections (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:
- (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);  
-- AND --
  - (2) It is accompanied by the fee set forth in 37 C.F.R. §1.17(p);  
-- AND --
  - (3) It is filed on or before payment of the Issue Fee.

- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any additional fee(s), charge any underpayment of fee(s), or credit any overpayment associated with this communication to Deposit Account No. 50-2257. A duplicate copy of this authorization is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 31, 2005.

H. Matsubayashi 1/31/05  
Attorney for Applicant(s) Date of Signature

Respectfully submitted,

H. Matsubayashi

Hugh H. Matsubayashi  
Attorney for Applicants  
Reg. No. 43,779

LAW OFFICES OF  
MacPherson, Kwok, Chen &  
Heid LLP

1762 Technology Drive  
Suite 226  
San Jose, CA 95110  
(408)-392-9520  
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U.S. Department of Commerce, Patent and Trademark Office				Atty Docket No.		Serial No.	
				M-15643 US		10/039,619	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Applicants			
(Use several sheets if necessary)				Donald J. SPENCER et al.			
				Filing Date		Group	
				January 4, 2002		2182	

U.S. Patent Documents							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	4,433,207	02/1984	Best			
	AB	5,034,980	07/1991	Kubota			
	AC	5,629,980	05/1997	Stefik et al.			
	AD	6,002,772	12/1999	Saito			
	AE	6,226,618	05/2001	Downs et al			
	AF	6,236,971	05/2001	Stefik et al.			
	AG	6,314,518	11/2001	Linnartz			
	AH	6,367,019	04/2002	Ansell et al.			
	AI	6,389,403	05/2002	Dorak, Jr.			
	AJ	6,397,333	05/2002	Sohne et al.			
	AK	6,398,245	06/2002	Gruse et al.			

Foreign Patent Documents							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	AL							
	AM							
	AN							
	AO							
	AP							

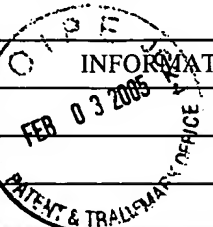
  

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
	AQ
	AR
	AS

Examiner	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with your communication to applicant.

U.S. Department of Commerce, Patent and Trademark Office	Atty Docket No.	Serial No.
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		Donald J. SPENCER et al.
Filing Date		Group
January 4, 2002		2182

## U.S. Patent Documents

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	AA	6,418,421	07/2002	Hurtado et al.			
	AB	6,473,560	10/2002	Linnartz et al.			
	AC	6,513,117	01/2003	Tarpenning et al.			
	AD	6,567,916	05/2003	Terao et al.			
	AE	6,574,609	06/2003	Downs et al.			
	AF	6,587,837	07/2003	Spagna et al.			
	AG	6,587,842	07/2003	Watts			
	AH	6,601,046	07/2003	Epstein			
	AI	6,697,948	02/2004	Rabin et al.			
	AJ	6,714,921	03/2004	Stefik et al.			
	AK						

## Foreign Patent Documents

							Translation	
		Document	Date	Country	Class	Subclass	Yes	No
	AL							
	AM							
	AN							
	AO							
	AP							

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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